

REMARKS

At the outset, Applicants respectfully request that the Examiner contact Applicants' undersigned representative if the claim amendments made herein do not adequately resolve the issues identified by the Examiner in the pending Office Action.

Summary of the Office Action

Claims 1-5, 8-15, and 17-21 stand objected to because of the informalities.

Claims 1-5, 8, 9 and 21 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ha et al. (U.S. Patent Application Publication No. 2003/0058389) in view of Maeda et al. (U.S. Patent Application Publication No. 2002/041470887).

Claim 10 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ha et al. as modified by Maeda et al. as applied to claim 1 above, and in view of Kubota et al. (U.S. Patent Application Publication No. 2002/0171792) .

Claims 11-15 and 17-20 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ha et al. as modified by Maeda et al. and Kuboda et al., as applied to claim 10 above.

Summary of the Amendment

Independent claims 1, 10, 12, 19, and 21 have been amended. No new matter has been introduced. Applicants respectfully traverse the rejections under 35 U.S.C. § 103(a).

Objection to Claims

Claims 1-5, 8-15, and 17-21 stand objected to because of the informalities. To overcome the Office's objection to the claim, Applicants have amended independent claims 1, 10, 12, 19 and 21 to correct minor informalities, namely "wherein the switching portion, a reflective portion and a transmissive portion do not overlap each other," has been deleted. No new matter has been introduced. Thus, the Office's objection to the claims is moot. Accordingly, Applicants respectfully request that the objection to claims 1-5, 8-15, and 17-21 be withdrawn.

All Claims Recite Allowable Subject Matter

Claims 1-5, 8, 9 and 21 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ha et al. in view of Maeda et al. Claim 10 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ha et al. as modified by Maeda et al. as applied to claim 1 above, and in view of Kubota et al. Claims 11-15 and 17-20 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ha et al. as modified by Maeda et al. and Kubota et al., as applied to claim 10 above.

These rejections are respectfully traversed and reconsideration is requested. Newly amend independent claim 1 is allowable over the cited references in that claim 1 recites, for example, a combination of elements, “a substrate having a switching portion, a reflective portion and a transmissive portion, a pixel region being defined to include the reflective and transmissive portions, ... a plurality of uneven patterns consisting of a first organic material layer within the reflective portion, the uneven patterns partially covering the substrate, wherein the plurality of uneven patterns are disposed within the reflective portion, wherein the plurality of uneven patterns, the reflective portion and the transmissive portion do not overlap each other.” Newly amend independent claim 10 is allowable over the cited references in that claim 10 recites, for example, a combination of elements, “first and second substrates facing into and spaced apart from each other, the first and second substrates having a switching portion, a reflective portion and a transmissive portion, a pixel region being defined to include the reflective and transmissive portions, ... a first organic material layer in the pixel region, the first organic material layer having a plurality of uneven patterns at the reflective portion, wherein the plurality of uneven patterns are disposed within the reflective portion, wherein the plurality of uneven patterns, the reflective portion and the transmissive portion do not overlap each other.” Newly amend independent claim 12 is allowable over the cited references in that claim 12 recites, for example, a combination of elements, “forming a gate line on a substrate having a switching portion, a reflective portion and a transmissive portion, a pixel region being defined to include the reflective and transmissive portions, ... forming a plurality of uneven patterns consisting of a first organic layer within the reflective portion by performing an exposure and development

process on the first photosensitive organic material layer, the uneven patterns partially covering the substrate, wherein the reflective portion does not overlap the switching portion, wherein the plurality of uneven patterns, the reflective portion and the transmissive portion do not overlap each other.” Newly amend independent claim 19 is allowable over the cited references in that claim 19 recites, for example, a combination of elements, “forming a gate line on a first substrate having a switching portion, a reflective portion and a transmissive portion, a pixel region being defined to include the reflective and transmissive portions, ... forming a first organic material layer having a plurality of uneven patterns at the reflective portion by performing an exposure and development process on the first photosensitive organic material layer, wherein the plurality of uneven patterns are disposed within the reflective portion, wherein the plurality of uneven patterns, the reflective portion and the transmissive portion do not overlap each other.” Newly amend independent claim 21 is allowable over the cited references in that claim 21 recites, for example, a combination of elements, “forming a gate line on a first substrate having a switching portion, a reflective portion and a transmissive portion, a pixel region being defined to include the reflective and transmissive portions, ... a plurality of uneven patterns covering portions of the inorganic material layer within the reflective portion excluding a peripheral portion of the pixel region, the uneven patterns consisting of a first organic material, wherein the reflective portion does not overlap the switching portion, wherein the plurality of uneven patterns, the reflective portion and the transmissive portion do not overlap each other.”

On page 5 of the Office Action, the Office correctly acknowledges that Ha et al. does not disclose the presence of a plurality of uneven patterns consisting of a first organic material layer within the reflective portion. To cure the deficiencies in the teaching of Ha et al., the Office cites Maeda et al. as teaching, “wherein the insulating layer under the reflective layer 31 and the pixel electrode 81 has a plurality of uneven patterns consisting of a first organic material layer 51 within the reflective portion.” The plurality of uneven patterns of Maeda et al. are extended on a thin film transistor 14 (see Fig, 10K). Accordingly, Ha et al. and Maeda et al. fail to teach or suggest at least the above-mentioned limitations of newly amended independent claims 1, 10, 12, 19, and 21.

The Office Action has not established a prima facie case of obviousness at least because Ha et al. and Maeda et al., whether alone or in combination, fail to teach or suggest all the recited features of newly amended independent claims 10, 12, and 19. Kuboda et al. fails to cure the deficiencies above-mentioned in Ha et al. and Maeda et al. Therefore, Ha et al., Maeda et al. and Kubota et al. do not teach or suggest each and every feature of newly amended independent claims 10, 12, and 19. Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. § 103(a) be withdrawn.

For at least the above reason, Applicants respectfully submit that newly amend independent claim 1 and its dependent claims 2-5 and 8-9, newly amend independent claim 10 and its dependent claim 11, newly amend independent claim 12 and its dependent claims 13-15 and 17-18, newly amend independent claim 19 and its dependent claim 20, and newly amended independent claim 21 are allowable over the cited references.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the Response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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